

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 49 - SB 1119

February 26, 2021

SUMMARY OF ORIGINAL BILL: Reduces, from 60 to 30, the number of days from the date of the police report a law enforcement agency has to send a sexual assault evidence collection kit to the state crime lab or other similar qualified laboratory.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (002687): Deletes all language after the enacting clause. Reduces, from 60 to 30, the number of days from the date of the police report, or the date of taking possession, a law enforcement agency has to send a sexual assault evidence collection kit to the state crime lab or other similar qualified laboratory.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Tennessee Code Annotated § 39-13-519 entitles each victim of a sexually oriented crime to a forensic medical examination, which results in a sexual assault evidence collection kit. The healthcare provider conducting the examination must release the resulting kit to the appropriate law enforcement agency. Once a law enforcement agency takes possession of the sexual assault evidence collection kit with the victim's name affixed to it, they are required to submit the kit to the state crime lab or other similar qualified laboratory for either serology or DNA testing within 60 days. Once the victim makes a police report, the law enforcement agency has 60 days from the date of the report to send the kit to the state crime lab or other similar qualified laboratory for either serology or DNA testing.
- The proposed legislation requires the law enforcement agency to submit the kit within 30 days, rather than within 60 days.
- Reducing the timeframe to submit the kits by 30 days will not significantly impact law enforcement agencies' operations. Any increase in workload can be accomplished with existing personnel and resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Interim Executive Director

/jg